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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEVIN BROWN,  
Petitioner,

v.

JOHN W. KERESTS, *et al.*,  
Defendants.

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Civ. No. 13-3944

FILED

NOV 20 2013

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

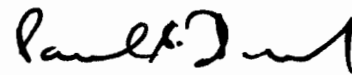
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**ORDER**

AND NOW, this 20<sup>th</sup> day of November, 2013, upon consideration of Kevin Brown's Petition for habeas relief pursuant to 28 U.S.C. § 2254, Defendants' response, and the Report and Recommendation of the Magistrate Judge, to which no objections have been filed, it is hereby **ORDERED** as follows:

1. The Report and Recommendation (Doc. No. 6) is **APPROVED** and **ADOPTED**;
2. The "Petition for Writ of Habeas Corpus" (Doc. No. 1) is **DISMISSED** without an evidentiary hearing as untimely; and
3. A certificate of appealability shall not issue.

**AND IT IS SO ORDERED.**



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Paul S. Diamond, J.